

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appellant: Dale C. Morris, et al.

Examiner: Midys Rojas

Serial No.: 09/499,720

Group Art Unit: 2185

Filed: February 8, 2000

Docket No.: 10991915-1

Title: PRIVILEGE PROMOTION BASED ON CHECK OF PREVIOUS PRIVILEGE LEVEL

**REQUEST FOR REFUND**

**(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

ATTN: Refund Section, Accounting Division, Office of Finance  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**I. Refund Request**

This is a Request for Refund, with respect to the charge to Deposit Account No. 08-2025 on December 31, 2007, in the amount of \$500.

A copy of the statement, in which the error referred to occurs, accompanies this Request.

**II. Fees Charged for Which Refund Requested**

Notice of Appeal Fee \$500.00

TOTAL REFUND REQUESTED \$500.00

**III. Explanation of Why Contested Charge is in Error**

A Notice of Appeal was previously filed on June 5, 2006, and a corresponding Notice of Appeal fee of \$500.00 was paid. An additional Notice of Appeal was filed on December 20, 2007, and a corresponding Notice of Appeal fee of \$510.00 was paid.

Accordingly, per MPEP 1207.4, only the difference between the current fee of \$510.00 for filing a Notice of Appcal as set forth under 37 C.F.R. § 41.20(b)(1) and the previously paid \$500.00 Notice of Appeal fee needs to be paid.

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| Category                         | Description  | Official Fees | PTO Date    |
|----------------------------------|--|---------------|-------------|
| Patent Application Filing Fees   | Basic filing fee - Utility   | \$690.00      | Feb-17-2000 |
| Patent Application Filing Fees   | Claims in excess of twenty   | \$72.00       | Feb-17-2000 |
| Patent Application Filing Fees   | Independent claims in excess of three                                    | \$156.00      | Feb-17-2000 |
| Patent Service Fees              | Recording each patent assignment, agreement or other paper, per property | \$40.00       | Jul-14-2000 |
| Miscellaneous Patent Fees        | Submission of an Information Disclosure Statement                        | \$180.00      | Jan-14-2004 |
| Patent Appeals/Interference Fees | Notice of appeal   | \$500.00      | Jun-07-2006 |
| Patent Appeals/Interference Fees | Filing a brief in support of an appeal                                   | \$500.00      | Aug-08-2006 |
| Patent Appeals/Interference Fees | Notice of appeal   | \$510.00      | Dec-31-2007 |

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**IV. Manner of Refund**

Please make refund by crediting Deposit Account No. 08-2025.

Respectfully submitted,

Dale C. Morris, et al.,

By their attorneys,

DICKE, BILLIG & CZAJA, PLLC

Fifth Street Towers, Suite 2250

100 South Fifth Street

Minneapolis, MN 55402

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Facsimile: (612) 573-2005

Date: February 21, 2008

By: /Patrick G. Billig/

Name: Patrick G. Billig

Reg. No.: 38,080

AUG 07 2006

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LEVEL**APPEAL BRIEF UNDER 37 C.F.R. § 41.37**

Mail Stop Appeal Brief – Patents  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir/Madam:

This Appeal Brief is submitted in support of the Notice of Appeal filed June 5, 2006, appealing the rejection of claims 1-24 of the above-identified application as set forth in the Final Office Action mailed April 5, 2006.

The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 08-2025 in the amount of \$500.00 for filing a Brief in Support of an Appeal as set forth under 37 C.F.R. § 41.20(b)(2). At any time during the pendency of this application, please charge any required fees or credit any overpayment to Deposit Account No. 08-2025.

Appellants respectfully request consideration and reversal of the Examiner's rejection of pending claims 1-24.

08/08/2006 MBIZUNES 00000049 082025 09499720

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Adjustment Date: 02/26/2008  
 06/07/2006 BABRAHAI 00000053 082025 09499720  
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